

Message Text

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ACTION IO-13

INFO OCT-01 ARA-06 ISO-00 ACDA-07 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-04 DODE-00

DOT-00 EB-07 EPA-01 ERDA-05 FEAE-00 FMC-01 TRSE-00

H-02 INR-07 INT-05 JUSE-00 L-03 NSAE-00 NSC-05 NSF-01

OES-06 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15 USIA-06

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TO SECSTATE WASHDC 7127

AMEMBASSY MEXICO CITY

C O N F I D E N T I A L SECTION 1 OF 2 USUN 1776

E.O. 11652: GDS

TAGS: EFIS, PFOR, PLOS, MX

SUBJ: US/MEXICO BILATERAL FISHERIES DISCUSSIONS

1. USG/GOM FISHERIES DISCUSSIONS OPENED APRIL 26 IN NEW YORK AS SCHEDULED. MEXICAN DEL IS HEADED BY SUB-SECRETARY FOR FOREIGN RELATIONS JORGE CASTANEDA AND IS SUPPORTED BY OTHER FOREIGN OFFICE AND COMMERCE/INDUSTRY DEPT. OFFICIALS. U.S. DEL HEADED BY AMBASSADOR ROZANNE L. RIDGWAY AND INCLUDES OTHER STATE AND COMMERCE DEPT. PERSONNEL.

2. TALKS OPENED WITH QUESTION BY U.S. DEL AS TO WHAT USG SHOULD EXPECT ON JUNE 6 REGARDING GOM IMPLEMENTATION OF ITS ECONOMIC ZONE. MEXICAN DEL RESPONDED BY NOTING THAT GOM WOULD EXPECT FOREIGN VESSELS TO RESPECT ZONE. IF FOREIGN GOVERNMENTS DESIRE ACCESS FOR THEIR FLAG VESSELS TO GOM ZONE, REQUEST MUST BE MADE OF GOM. IF MEXICAN NATIONALS ARE UNABLE TO FULLY UTILIZE ALL RE-
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SOURCES WITHIN ZONE, GOM IS OBLIGATED TO MAKE SURPLUS

AVAILABLE TO OTHERS. GOAL OF GOM IS TO EVENTUALLY
UTILIZE ALL RESOURCES IN ZONE.

3. U.S. DEL DESCRIBED U.S. INTEREST IN MEXICAN
ZONE AS BEING COMPOSED OF ESSENTIALLY 6 PARTS: (A)
IN BOTH THE GULF AND PACIFIC, RECREATIONAL FISHERIES;
(B) IN THE GULF, ACCESS TO GOM ZONE FOR TRADITIONAL
SHRIMP FISHERIES; (C) IN THE GULF, ACCESS TO SNAPPER-
GROUPER, MACKEREL, AND OTHER MISCELLANEOUS SPECIES;
(D) IN THE PACIFIC, INTEREST IN SPECIES OF COMMON STOCKS
AND MUTUAL INTEREST SUCH AS ANCHOVY, SARDIN, PACIFIC
MACKEREL, JACK MACKEREL, WHITE SEA BASS, YELLOWTAIL,
BARRACUDA, BILLFISH, AND OTHER MISCELLANEOUS SPECIES;
(E) IN THE PACIFIC, THE TRADITIONAL U.S. FISHERY IN-
SIDE MEXICO'S CLAIMED 12-MILE TERRITORIAL SEA; AND
(F) IN THE PACIFIC, THE QUESTION OF TUNA.

4. DAY'S DISCUSSIONS ON THE VARIOUS AREAS OF
U.S. INTEREST NOTED PARA 3 ABOVE INDICATED THAT WITH
RESPECT TO (A) RECREATIONAL FISHERIES, GOM ANTICI-
PATED LICENSING INSIDE 200 MILES BUT NO REDUCTION
IN U.S. FISHING. TO THE CONTRARY, GOM ENCOURAGED
THIS FISHING, WHICH IN MANY CASES IS A BOON TO
TOURISM. DELEGATIONS DISCUSSED VARIOUS ADMINISTRA-
TIVE PROCEDURES WHICH MIGHT BE EMPLOYED TO FACILITATE
LICENSING. MEX DEL CONCLUDED BY INDICATING FUTURE
PROCEDURES WILL ESSENTIALLY BE SAME AS PRESENT ONES,
WHEREBY U.S. VESSEL OWNERS CAN PURCHASE LICENSES
THROUGH MEXICAN FISHERY OFFICES IN CALIFORNIA. IN THE
GULF REGION, SIMILAR OFFICES WOULD LIKELY BE ESTAB-
LISHED, AND IN THE INTERIM MEXICAN CONSULATES COULD
DO THE JOB.

5. WITH RESPECT TO (B) ACCESS IN THE GULF TO
SHRIMP, U.S. DEL INDICATED U.S. POSITION WOULD LIKELY
BE TO MAINTAIN ACCESS AT PRESENT LEVEL FOR COMING YEAR.
MEX DEL INDICATED THAT GOM POSITION WOULD LIKELY
BE TO REDUCE U.S. CATCH BY ROUGHLY 50 PERCENT. U.S.
SHRIMP FISHERMEN OPERATE IN 3 MAIN AREAS, TAMPICO
(65 PERCENT OF U.S. CATCHES), CAMPECHE (20 PERCENT
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U.S. CATCH) AND CONTOY, PRINCIPALLY FOR ROCK SHRIMP
(15 PERCENT U.S. CATCH). 1973 U.S. LANDINGS OF SHRIMP
FROM MEXICAN ZONE TOTALLED 4,595 METRIC TONS.
MEX DEL INDICATED THAT CAMPECHE FISHERY FOR POLITICAL
AND SOCIOLOGICAL REASONS AS WELL AS ECONOMIC AND
SCIENTIFIC ONES WOULD PROBABLY BE TERMINATED FOR U.S.
VESSELS. U.S. FISHERIES IN OTHER TWO REGIONS COULD
BE CONTINUED BUT WITH REDUCED CATCHES AND EVENTUAL

PHASE OUT, WITH POSSIBLE EXCEPTION OF ROCK SHRIMP WHICH GOM DOES NOT FISH. SINCE MEXICAN SHRIMPERS CAN APPARTNELTY UTILIZE SHRIMP RESOURCES TO THIS EXTENT, SUCH A REDUCTION IN U.S. EFFORT WOULD NOT BE INCONSISTENT WITH PRINCIPLES OF FULL UTILIZATION AND SURPLUSES ENDORSED BY U.S. LEGISLATION AND LOS POSITION. REGARDING THE POSSIBILITY OF RECIPROCITY TO ALLOW MEXICAN FLEET TO OPERATE OFF THE U.S. COAST, MEX DEL INDICIPROCAL RIGHTS DURING FIRST YEAR OF AGREEMENT.

6. WITH RESPECT TO (C) ACCESS IN THE GULF TO PRINCIPALLY SNAPPER GROUPER, WHICH INVOLVES APPROXIMATELY 20 BOATS, MEX DEL INDICATED THAT THIS FISHERY WAS SMALL, U.S. AND MEXICAN SCIENTISTS HAVE AGREED IT DOES NOT APPEAR TO BE FULLY UTILIZED, AND SO IT COULD PROBABLY CONTINUE UNDER 200-MILE REGIME WITH LICENSING.

7. WITH RESPECT TO (D) COMMON STOCKS OF MUTUAL INTEREST IN THE PACIFIC, MEX DEL INDICATED THAT ACCESS BY U.S. FISHERMEN COULD PROBABLY CONTINUE AT PRESENT LEVELS, SINCE MEXICAN NATIONALS DO NOT SIGNIFICANTLY FISH THESE SPECIES FAND FOR THE MOST PART THEY ARE NOT APPARENTLY OVERFISHED. DUE TO DIFFICULTIES ASSOCIATED WITH MIXED NATURE OF FISHERIES, VARIABILITY OF CATCHES, AND LACK OF INFORMATION REGARDING MAXIMUM SUSTAINABLE YIELD, BOTH SIDES AGREED IT WOULD PROBABLY NOT BE POSSIBLE TO ESTABLISH PRECISE SURPLUSES FOR INDIVIDUAL SPECIES. RATHER, AN APPROACH BASED ON TOTAL CATCHES FOR THESE SPECIES COMBINED WOULD APPEAR TO BE THE MORE PRACTICAL APPROACH. USG COULD MAKE APPLICATION TO GOM FOR ACCESS ON THIS BASIS, INDICATING TOTAL AMOUNT FOR ALL SPECIES (BASED ON PAST AVERAGE ANNUAL CATCHES) EXPECTED TO BE TAKEN. TOTAL AVERAGE ANNUAL U.S. CATCH
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OF THESE SPECIES EXCLUDING CATCHES OF BAIT IN GOM ZONE IS APPROXIMATELY 500 METRIC TONS. SOME DISCUSSION ON PROCEDURES LEFT UNCLEAR WHETHER LICENSE WOULD SPECIFY SPECIES WHICH ARE BEING FISHED FOR OR CONVERSELY SPECIES WHICH COULD NOT BE TAKEN. SPECIES SUCH AS MACKEREL, ANCHOVY AND SARDINE (EXCEPT FOR BAIT) ARE NOT AT PRESENT FISHED INSIDE 200 MILES OF MEXICO, AND FOR THESE SPECIES OVERFISHING EITHER HAS TAKEN PLACE (SARDINE, PACIFIC MACKEREL) OR MAY IN THE FUTURE (ANCHOVY). IT WAS AGREED THAT A MECHANISM SHOULD BE CREATED FOR FUTURE COOPERATION IN MANAGEMENT OF SUCH SPECIES IF NECESSARY AND DESIRABLE.

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ACTION IO-13

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8. WITH RESPECT TO (E) THE TRADITIONAL U.S. FISHERY INSIDE 12 MILES OF MEXICO, THIS IS TREMENDOUSLY COMPLICATED ISSUE INVOLVING SPECIAL GOM REQUIREMENTS SUCH AS 50 PERCENT MEXICAN CREW, INTRA-U.S. INDUSTRY CONFLICT BETWEEN SMALL BAITBOAT AND LARGE PURSE SEINE INTERESTS, SMALL TRADITIONAL MARKET BOAT FISHERY WHICH ALSO OPERATES OUTSIDE 12 MILES, AND POSSIBLE USG LEGAL PROBLEM WITH RESPECT TO RECOGNITION OF LICENSING FOR TUNA WITH NEW U.S. FISHERIES LAW. U.S. DEL GATHERING LIST OF BOATS WHICH MAY WANT ACCESS INSIDE 12 MILES OF MEXICO AND IT APPEARS LIST WILL INCLUDE APPROXIMATELY 175 VESSELS. U.S. DEL WILL PROBABLY SEEK TO ACCOMMODATE THIS NUMBER OF VESSELS. PROCEDURES AND GOM POSITION UNCLEAR AT THIS TIME, BUT IT APPEARS THAT FISHERY MAY BE ALLOWED TO CONTINUE MUCH AS IN PAST.

9. WITH RESPECT TO (F) TUNA, ISSUE IS POTENTIALLY VERY CONTENTIOUS ONE WHICH COULD DISRUPT ARRANGE-
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MENTS FOR OTHER FISHERIES AS WELL AS BE TROUBLING FOR US/GOM RELATIONS IN GENERAL IF WORST POSSIBLE CASE BECOMES A REALITY. U.S. POSITION, LARGELY DICTATED BY NEW FISHERIES LAW, IS THAT TUNA MUST BE MANAGED BY INTERNATIONAL AGREEMENT, AND SO SHOULD BE FISHED ONLY UNDER CONSTRAINTS ESTABLISHED BY IATTC UNTIL SUCH TIME AS NEW TUNA TREATY CAN BE RENEGOTIATED. THIS WOULD INCLUDE ALL TUNA SUCH AS YELLOWFISH, SKIPJACK, BLUEFIN, ALBACORE AND BIGEYE. MEX DEL INDICATED THAT TUNA QUESTION HAD NOT BEEN RESOLVED WITHIN GOM AND THAT FRANKLY THEY HAD NOT FOCUSED ON TUNA SPECIES OTHER THAN YELLOWFIN, ONLY ONE PRESENTLY UNDER REGULATION BY IATTC (OTHERS ARE UNDER STUDY). MEX DEL INDICATED ONE APPROACH THEY COULD ADOPT WOULD BE TO REQUIRE LICENSING FOR TUNA IN INTERIM UNTIL IATTC CAN BE RENEGOTIATED. THIS WOULD NOT GET AROUND U.S. PROBLEM. GOM POSITION ON THIS ISSUE MAY BE CRITICAL TO FUTURE FISHERIES RELATIONSHIP OF TWO COUNTRIES UNLESS SOME OTHER PRACTICAL AND NON-PREJUDICIAL ARRANGEMENT CAN BE DISCOVERED.

10. DISCUSSION OF POSSIBLE STRUCTURE OF AGREEMENT BETWEEN TWO COUNTRIES ON FISHERIES TOOK PLACE, WITH NO SPECIFIC CONCLUSIONS REACHED. MEX DEL INDICATED IT PREFERRED NOT TO HAVE FORMAL TREATY, BUT WOULD RATHER HAVE EXCHANGE OF NOTES EXPRESSING UNDERSTANDINGS OF TERMS OF ACCESS AND PROCEDURES WITH PROVISION FOR ANNUAL CONSULTATIONS ON AMOUNTS. FOR USG, IF U.S. FISHERMEN ARE TO BE RESTRICTED AND MANAGED BY USG, TREATY AND IMPLEMENTING LEGISLATION MAY BE NECESSARY.

11. APRIL 26 MEETING CONCLUDED WITH CASTANEDA BEING CALLED AWAY FOR CALL FROM MEXICO CITY, WHICH HE LATER REPORTED TO RIDGWAY AS RESULTING FROM INTERNAL PROBLEMS GOM IS HAVING ON ITS SHRIMP POSITION. MEXICAN COOPERATIVES APPEAR SATISFIED WITH GOM POSITION RE AVAILABILITY OF SURPLUS OF GULF SHRIMP TO U.S. FISHERMEN BUT PRIVATE INTERESTS ARE SEEKING ACCESS TO AMOUNTS NOT UTILIZED BY COOPERATIVES RATHER THAN HAVING THIS BE AVAILABLE TO U.S. CONFIDENTIAL

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CASTANEDA INDICATED HE WAS DEPARTING NEXT DAY FOR MEXICO CITY AND MUST DEAL WITH THIS PROBLEM.

12. DISCUSSIONS CONCLUDED APRIL 27 WITH GENERAL

DISCUSSION OF TUNA PROBLEM AND IMPLICATIONS
OF THIS FOR DEVELOPING INTO A TROUBLING SITUATION BOTH
GOVERNMENTS WOULD LIKE TO AVOID. MEX DEL REITERATED
THAT GOM DID NOT YET HAVE POSITION ON THIS ISSUE BUT
NOTED THAT WAY MUST BE FOUND TO AVOID CONFLICT OVER
THIS ISSUE.

13. MEX DEL ALSO INDICATED THAT SOME SLIPPAGE IN
JUNE 6 IMPLEMENTATION DATE WAS LIKELY. IN ORDER TO
PROVIDE MORE TIME, GOM IS PREPARED TO CONSIDER 120-
DAY CLOCK AS COMPOSED OF 120 WORKING DAYS RATHER THAN
CALENDAR DAYS AS ORIGINALLY THOUGHT. THUS SLIPPAGE IN
MAY 17 DATES FOR MEXICO CITY NEGOTIATION MAY ALSO OCCUR.
NEGOTIATIONS COULD TAKE PLACE ANY TIME FROM MID-MAY TO
MID-JUNE. GOM WILL BE IN CONTACT WITH USG ASAP RE-
GARDING THIS.
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